

## NOTICE OF PROPOSED RULEMAKING

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION: Water Resource Management

RULE CHAPTER TITLE:

Mandatory Phosphate Mine Reclamation

RULE CHAPTER NO.:

62C-16

RULE TITLE:

RULE NO.:

Definitions.

62C-16.0021

Applications, Notices and Reports Required.

62C-16.003

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62C-16.0032

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62C-16.0033

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62C-16.0051

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Violations, Damages, and Penalties.

62C-16.0071

Financial Responsibility.

62C-16.0075

Annual Mining and Reclamation Reports.

62C-16.0091



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(5) The action taken by the department~~board~~ shall be the proposed agency action and notice of the action shall be published by the department in the Florida Administrative Weekly and in a newspaper of general circulation in the area affected. The notice shall contain the following:

(5)(a) through (d) No change.

(6) If no request for an administrative hearing is received by the department within 14 days from the date of publication of the notice, the action taken by the Secretary~~board~~ shall be final agency action.

Specific Authority ~~211.32, 370.021~~, 378.205 FS. Law Implemented 378.212 FS. History - New 2-22-87, Formerly 16C-16.004, Amended.

62C-16.0051 Reclamation and Restoration Standards. This section sets forth the minimum criteria and standards for approval of a conceptual plan or modification application. ~~which must be addressed in an application for a program to be approved.~~

(1) Safety.

(a) Site cleanup. All lands reclaimed shall be completed in a neat, clean manner by removing or disposing of~~adequately burying~~ all visible debris, litter, junk, worn-out or unusable equipment or materials, as well as all footings, poles, pilings, and cables in conformance with the requirements of subsection (9) of this section. If any large rocks or boulders ~~exist~~exists as a result of mining, these should be left either at the surface where they are distinctly visible or placed in mined-out areas and covered to a minimum depth of four (4) feet.

(1)(b) No change.

4. Waste clays shall be disposed of in a manner which minimizes the length of time waste disposal sites are needed for mining operations, reduces the impact on drainage patterns and premining topography, and considers postreclamation land use potential.

(b) Sand Tailings.

(9)(b)1. No change.

2. The operator shall give highest priority to the use of sand tailings for backfilling mine cuts. This priority shall not exclude the use of sand clay mix in reclamation when approved by the department. Sand tailings shall not be permanently disposed or deposited within, or used for the construction of, clay settling areas unless authorized by the department, for accelerating the thickening of waste clays, or as a soil enhancement by mixing the sand with the surface clays on clay storage areas.

(c) Solid waste:

1. Solid waste that is generally considered to be not water soluble and non-hazardous in nature, and that is generated as a result of mining operations may be disposed on-site during reclamation in accordance with any applicable permit conditions. Such waste includes steel, glass, brick, concrete, asphalt material, pipe, gypsum wallboard, and lumber, as well as rocks, soils, tree remains, trees, and other vegetative matter.

2. Solid waste that could create a public nuisance or adversely affect the environment or public health, such as garbage, white goods, automotive materials including batteries and tires, petroleum products, pesticides, solvents, or hazardous substances, shall be managed in accordance with the requirements of chapter 62-701, F.A.C.

3. Solid waste that is a hazardous waste shall be managed in accordance with the requirements of chapter 62-730, F.A.C.